

**INVENTEK**

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DEC 09 2004

***Patent Application Ser. No.: 10/698,588******Ref./Docket No: CISCO-7727******Applicant(s): Lyons, et al.******Examiner: Raymond B. Persino******Filing Date: October 31, 2003******Art Unit: 2682*****FAX COVER PAGE**

**TO:** Mail Stop Amendment  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

United States Patent and Trademark Office  
 (Examiner Raymond B. Persino, Art Unit 2682)

***Fax No.: 703-872-9306******DATE: December 9, 2004******FROM: Dov Rosenfeld, Reg. No. 38687******RE: Response to Office Action******Number of pages including cover: 16*****OFFICIAL COMMUNICATION**

**PLEASE URGENTLY DELIVER A COPY OF  
 THIS RESPONSE TO  
 EXAMINER RAYMOND B. PERSINO, ART UNIT  
 2682**

**Certificate of Facsimile Transmission under 37 CFR 1.8**

I hereby certify that this response is being facsimile transmitted to the United States Patent and Trademark Office at telephone number 703-872-9306 addressed the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on.

Date: Dec. 9, 2004Signed: Amy Drury  
Name: Amy Drury

# TRANSMITTAL FORM

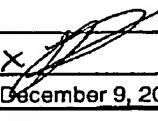
(to be used for all correspondence after initial filing)

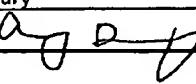
	Application Number	10/698,588
	Filing Date	31 Oct 2003
	First Named Inventor	Lyons, Daniel Joseph
	Group Art Unit	2682
	Examiner Name	Raymond B. Persino
	Attorney Docket Number	CISCO-7727

**ENCLOSURES (check all that apply)**

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers <i>(for an Application)</i>	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment / Response	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group <i>(Appeal Notice, Brief, Reply Brief)</i>
<input type="checkbox"/> <input type="checkbox"/> After Final	<input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> <input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> To Convert a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Additional Enclosure(s) <i>(please identify below):</i>
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/> Return Postcard
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Small Entity Statement	<input type="checkbox"/>
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Request of Refund	<input type="checkbox"/>
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		<input type="checkbox"/>
<input type="checkbox"/>		
<input type="checkbox"/> <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT/ CORRESPONDENCE ADDRESS**

Firm or Individual name	Dov Rosenfeld, Reg. No. 38687
Signature	
Date	December 9, 2004
<b>ADDRESS FOR CORRESPONDENCE</b>	
Firm or Individual name	Dov Rosenfeld 5507 College Avenue, Suite 2, Oakland, CA 94618, Tel: 510-547-3378

<b>CERTIFICATE OF FACSIMILE TRANSMISSION</b>			
I hereby certify that this correspondence is being facsimile transmitted with the United States Patent and Trademark Office at Telephone number 703-872-9306 addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date:			December 9, 2004
Type or printed name	Amy Drury		
Signature			Date December 9, 2004

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Our Ref./Docket No: CISCO-7727

Patent

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Lyons, *et al.*

Application No.: 10/698,588

Filed: October 31, 2003

Title: ERROR VECTOR MAGNITUDE  
SELECTION DIVERSITY METRIC FOR  
OFDM

Group Art Unit: 2682

Examiner: Raymond B. Persino

TRANSMITTAL: RESPONSE TO OFFICE ACTION

Mail Stop Amendment  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Dear Commissioner:

Transmitted herewith is a response to an office action for the above referenced application. Included with the response are:

drawing(s);

This application has:

a small entity status. If a claim for such status has not earlier been made, consider this as a claim for small entity status.

No additional fee is required.

## Certificate of Facsimile Transmission under 37 CFR 1.8

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Date: Dec. 9, 2004

Signed: Amy Drury  
 Name: Amy Drury

S/N 10/698,588

Page 2

CISCO-7727

Applicant(s) believe(s) that no Extension of Time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for an extension of time.

Applicant(s) hereby petition(s) for an Extension of Time under 37 CFR 1.136(a) of:  
 one months (\$110)       two months (\$410)  
 three months (\$930)       four months (\$1450)

If an additional extension of time is required, please consider this as a petition therefor.

A credit card payment form for the required fee(s) is attached.

The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-0292 (A DUPLICATE OF THIS TRANSMITTAL IS ATTACHED):

Any missing filing fees required under 37 CFR 1.16 for presentation of additional claims.  
 Any missing extension or petition fees required under 37 CFR 1.17.

Respectfully Submitted,

Dec. 9, 2004  
Date

  
Dov Rosenfeld, Reg. No. 38687

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5507 College Avenue, Suite 2,  
Oakland, CA 94618  
Tel. 510-547-3378; Fax: +1-510-291-2985

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